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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
14-020210US

First named inventor:

James G. Keck

09/601997

Application No.:

(not yet known)

Group Art Unit: Unassigned

Filed: August 8, 2000

Examiner: Unassigned

Title: NON-BACTERIAL CLONING IN DELIVERY AND EXPRESSION OF NUCLEIC ACIDS

Attention: International Division, Legal Staff
Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

03 SEP 2000

Legal Staff
International Division

The above-identified application became abandoned as to the United States because the elements noted at 35 U.S.C. 371(c) were not filed prior to the expiration of the applicable time limit noted at 37 CFR 1.494(b) or (c) or 37 CFR 1.495(b) or (c). The date of abandonment is 06-20-00 i.e., the day after the date on which the 35 U.S.C. 371(c) requirements were due; see 37 CFR 1.494(h) or 1.495(i).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper response
- (3) Terminal disclaimer with disclaimer fee -- required for all applications filed before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☒ Small entity - fee \$ 605 (37 CFR 1.17(m))
- ☒ Small entity statement enclosed herewith.
- ☐ Small entity statement previously filed.
- ☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Proper response

A. The proper response (the missing 35 U.S.C. 371(c) requirements) in the form of
Form PTO 1390 and accompanying documents (identify type of response):

11/15/2000
01 FC:241

SMITH 00000001 090897 filed 09/01/97
605.00 \$ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) equivalent to the number of months from abandonment to the filing of this petition is enclosed herewith.

4. Statement. The entire delay in filing the 35 U.S.C. 371(c) requirements from their due date until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Where a petition under 37 CFR 1.137(b) is not filed within three months from the mail date of any notice of abandonment or one year from the date of abandonment, explain (on an attached sheet) in detail the cause of the delay in filing this petition.

8-8-00
Date

Jonathan Alan Quine
Signature

Telephone
Number: (510) 337-7871

Jonathan Alan Quine, Reg. No. 41,261
Typed or printed name

P.O. Box 458, Alameda, CA 94501
Address

- Enclosures: ☒ Response
- ☒ Fee Payment
- ☐ Terminal Disclaimer Form
- ☒ Small Entity Status Form
- ☒ Statement.